

Paper No. 1238
Disposes of
Paper No. 1121

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al

- vs -

ARAKI, Sadao, et al

(Defendants)

ORDER
GRANTING PROSECUTION
AN EXTENSION OF TIME
TO OCTOBER 17, 1947,
WITHIN WHICH TO PRESENT
CERTAIN WITNESSES FOR
CROSS-EXAMINATION

This matter coming on for decision by the Tribunal in open court this 10th day of September, 1947, upon the application of the Prosecution for an order extending until October 17, 1947, the time fixed by the Tribunal in its previous order made in open court on June 17, 1947, wherein the Tribunal requires the Prosecution to produce for cross-examination certain witnesses within a period of two months from that date, or within such longer period as may on cause shown to be approved by the Tribunal, or alternatively to give convincing reasons within said period why they are not able to produce the said witnesses, said application being Paper No. 1121, and the arguments and statements of counsel in support of and in opposition to the said application having been heard before the Honorable Sir William Webb, President of the Tribunal, in Chambers on the 20th day of August, 1947, at which time the decision thereon was reserved, and the Tribunal being fully advised in the premises, it is

ORDERED: That said application be granted as

prayed; and it is further

ORDERED: That the time within which the Prosecution is required to comply with the previous order of this Tribunal is extended to October 17, 1947.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT

Sittings:

The Honorable Sir William Webb
The Honorable Mr. Justice McDougall
The Honorable Mr. Justice Ju-Ao Mei
The Honorable Mr. Justice Bernard
Lord Patrick
The Honorable Mr. Justice Roling
The Honorable Mr. Justice Northcroft
The Honorable Mr. Justice Jaranilla
Major General of Justice I. M. Zaryanov
Major General Myron C. Cramer

Paper No. 1239
Disposes of
Paper No. 1186

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA

- vs -

ARAKI, Sadao, et al

) ORDER
) DENYING THE APPLICATION
) OF THE ACCUSED, ARAKI,
) FOR THE ISSUANCE OF
) SUBPOENAS FOR CERTAIN
) WITNESSES UNDER
) THE CHARTER.

This matter coming on to be heard this 2nd day of September, 1947, before the Honorable Sir William Webb, President of the Tribunal, upon the application of the Accused ARAKI, Sadao, by his counsel, for the issuance of subpoenas for certain witnesses necessary to the defense of said Accused, the names of said witnesses being fully set forth in the application which is Paper No. 1186; and

It appearing to the Tribunal that affidavits have been obtained from all witnesses named in said application, and the Tribunal having heard the arguments and statements of counsel and being fully advised in the premises, it is

ORDERED: That the application for the issuance of subpoenas at the present time is denied; and it is further

ORDERED: That the affidavits of said witnesses may be tendered in evidence and will be dealt with on their merits, and if it should appear to the Tribunal that the appearance of any of said witnesses is required for examination or cross-

examination, the attendance of such witness or witnesses will be directed as and when the necessity for his or their presence shall appear to the Tribunal, at which time such subpoena or subpoenas will issue for said witness or witnesses as the Tribunal may direct.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT

Sitting:

The Honorable Sir William Webb
The Honorable Mr. Justice McDougall
The Honorable Mr. Justice Ju-Ao Mei
The Honorable Mr. Justice Bernard
Lord Patrick
The Honorable Mr. Justice Roling
The Honorable Mr. Justice Northcroft
The Honorable Mr. Justice Jaranilla
Major General of Justice I. M. Zaryanov
Major General Myron C. Cramer

Paper No. 1274
Disposes of
Paper No. 1234

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al)

- vs -

ARAKI, Sadao, et al

) ORDER:
) GRANTING LEAVE TO
) WITHDRAW FROM FILES
) OF THE TRIBUNAL
) COURT EXHIBIT NO. 2798
) FOR IDENTIFICATION ONLY
) AND DEFENSE DOCUMENTS
) NOS. 1626 AND 1835

This matter coming on to be heard on this 23rd day of September, 1947, before the Honorable Sir William Webb, President of the Tribunal, upon the application of William Logan, Jr., counsel for the accused KIDO, Koichi, for an order of the Tribunal granting leave to withdraw from the files of the Tribunal, on the usual terms, the original document comprising Court Exhibit No. 2798, heretofore presented and marked for Identification Only, and excerpts therefrom having been offered in evidence and rejected, Defense Document No. 1626 and excerpt therefrom having been submitted in evidence and rejected, and Defense Document No. 1835 which was offered in evidence and rejected, each of the foregoing being more particularly described as follows:

Court Exhibit No. 2798

"Imperial Economic Conference
at Ottawa, 1932 - Summary of
Proceedings and Copies of
Trade Agreements"

Defense Document No. 1626
"Japan Year Book, 1941-42"

Defense Document No. 1835
"The Indian Merchant's Chamber,
Views of the Committee on the
Report of the Indian Delegation
to the Imperial Economic Con-
ference, Ottawa"

said withdrawal of said original documents being for the purpose of returning the same forthwith to the source from which they had been secured, to wit: The Economic Research Library in Tokyo, Japan; and counsel for the Accused failing to attend the hearing upon said application, and the Prosecution by Mr. Solis Horwitz appearing and consenting on behalf of the Prosecution to the granting of this application, and it appearing to the Tribunal that the withdrawal of Court Exhibit 2798 for Identification Only and Defense Documents Nos. 1626 and 1835 will in nowise prejudice the rights of the Prosecution or of the Accused, or any of them, and that no substantial injustice will result thereby to the said Prosecution or the said Accused it is

ORDERED: That said application be and the same is hereby granted as prayed; and it is further

ORDERED: That Court Exhibit No. 2798 and Defense Documents Nos. 1626 and 1835 be withdrawn from the files of the Tribunal forthwith and returned to the source from which they were obtained, under the express term and condition, however, that said documents shall be returned to the Tribunal upon request in the event that the Tribunal or the Prosecution or the Defense should require the, or any of them, for the purpose of this trial.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT